

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

ROBERT GRAY,	)	
	)	Civil Action No. 05-11445 DPW
Plaintiff,	)	
	)	
v.	)	
	)	
TRANSPORTATION SECURITY	)	
ADMINISTRATION; EDMUND S. HAWLEY <sup>1</sup> ,	)	
in his capacity as ASSISTANT SECRETARY	)	
FOR HOMELAND SECURITY,	)	
TRANSPORTATION SECURITY	)	
ADMINISTRATION, DEPARTMENT OF	)	
HOMELAND SECURITY; DEPARTMENT OF	)	
HOMELAND SECURITY; and MICHAEL	)	
CHERTOFF, in his capacity as SECRETARY	)	
OF THE DEPARTMENT OF HOMELAND	)	
SECURITY,	)	
	)	
Defendants.	)	
	)	

---

**JOINT STATUS REPORT**

Pursuant to this Court's Electronic Order dated September 21, 2005, the parties hereby provide this Court with notice regarding the status of proceedings in the United States Court of Appeals for the First Circuit.

As set forth in the parties' previous Joint Status Reports, the First Circuit granted the plaintiff's assented-to motion to stay appellate proceedings, which stated that he was engaged in active efforts to reach an informal resolution of the claims he has asserted against the government. The First Circuit ordered the parties to promptly notify the court in the event that the matter is

---

<sup>1</sup> Pursuant to Fed. R. Civ. P. 25(d)(1), Edmund S. Hawley is automatically substituted for his predecessor, James Loy, as Assistant Secretary for Homeland Security, Transportation Security Administration, Department of Homeland Security.

resolved, and also ordered the parties to file a status report on November 28, 2005, and at thirty day intervals thereafter, if the case is not resolved.

The parties continue to make substantial progress towards resolving this matter without further intervention by the Court, and have exchanged draft language to that end during the past month.

Respectfully submitted,

ROBERT GRAY,  
By his attorneys,

/s/ Hugh Dun Rappaport  
Paul Holtzman, Esq.  
Hugh Dun Rappaport, Esq.  
KROKIDAS & BLUESTEIN LLP  
600 Atlantic Avenue  
Boston, MA 02210  
(617) 482-7211

/s/ Sarah R. Wunsch  
Sarah R. Wunsch, Esq.  
ACLU OF MASSACHUSETTS  
211 Congress Street  
Boston, MA 02110  
(617) 482-3170

TRANSPORTATION SECURITY  
ADMINISTRATION, et al.,

/s/ Mark T. Quinlivan  
MARK T. QUINLIVAN  
Assistant U.S. Attorney  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
(617) 748-3606

Dated: June 22, 2006